IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Crl.MC.No. 2068 of 2007()

PETITIONER:

K.V.JAYAN, AGED 40, S/O.K.K.VIJAYAN,
KAITHAVALAPPIL, NAYARAMBALAM, VYPEEN.

BY ADV. SRI.N.K.MOHANLAL

RESPONDENTS:

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1. DEPUTY INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
NJARAKKAL.

3. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2068 of 2007

Dated this the 4th day of July 2007

O R D E R

The grievance of the petitioner is that his scooter seized from his possession is not being returned to him. The learned Public Prosecutor on instructions submits that the seizure has been reported to the learned Magistrate. But the officer is willing to return the vehicle to the petitioner on condition that he produces the necessary documents to show his ownership and possession of the vehicle. The learned Public Prosecutor further submits that in the alternative, the petitioner can apply for release of the vehicle before the learned Magistrate under Section 457 Cr.P.C. The learned counsel for the petitioner only submits that he may be granted time to take the necessary steps. The petitioner may either produce the relevant documents before the police officer, in which event, the officer undertakes to release the vehicle of the petitioner. In the alternative, he can approach the learned Magistrate and file an appropriate application under Section 457 Cr.P.C.

2. This Criminal Miscellaneous Case is accordingly dismissed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007